



Early Journal Content on JSTOR, Free to Anyone in the World

This article is one of nearly 500,000 scholarly works digitized and made freely available to everyone in the world by JSTOR.

Known as the Early Journal Content, this set of works include research articles, news, letters, and other writings published in more than 200 of the oldest leading academic journals. The works date from the mid-seventeenth to the early twentieth centuries.

We encourage people to read and share the Early Journal Content openly and to tell others that this resource exists. People may post this content online or redistribute in any way for non-commercial purposes.

Read more about Early Journal Content at <http://about.jstor.org/participate-jstor/individuals/early-journal-content>.

JSTOR is a digital library of academic journals, books, and primary source objects. JSTOR helps people discover, use, and build upon a wide range of content through a powerful research and teaching platform, and preserves this content for future generations. JSTOR is part of ITHAKA, a not-for-profit organization that also includes Ithaka S+R and Portico. For more information about JSTOR, please contact support@jstor.org.

THE NEUTRALITY OF SWITZERLAND

II

GENEVA, THE PAYS DE GEX, AND HAUTE-SAVOIE

THE conception of a permanent neutrality for Switzerland sharply differentiates itself from the various phases of neutralization created chiefly after the Congress of Vienna in Europe and elsewhere in the important respect that in the case of Switzerland the Powers did no more than attempt to crystallize in diplomatic and lasting form a political condition which had, as we have heretofore seen, characterized the country during nearly three centuries. The Powers, consequently, merely recognized an existing status and one deemed essential as well to the peace of Europe as to the welfare of Switzerland itself. But at Vienna it was clearly seen that recognition would prove valueless were it not supported by an international guarantee, and one, moreover, which would not only necessarily take the shape of an international protection of Switzerland against outside aggression, but also conserve a unitary and harmonious federal administration within the Swiss boundaries. We are not surprised, accordingly, to find the conception of such a guarantee appearing in the various diplomatic documents heretofore noted which create or attest Swiss neutrality, as in the Treaty of Lunéville, February 9, 1801, and the identical treaties concluded at Paris, May 30, 1814, known as the First Peace of Paris (noted in Part I of this series, April, 1918, JOURNAL, p. 241, at p. 246), in which Swiss independence and self-government are expressly recognized: "La Suisse, indépendante, continuera de se gouverner par elle-même." (Art. VI)

Before the Vienna Congress, then, there lay the problem of not merely declaring the fact of Swiss neutrality, independence, and self-government, but of providing, further, such practical means as lay within the power of the envoys toward assuring a lasting maintenance

in the new Swiss commonwealth of these international and constitutional safeguards.

If we glance at a map of Switzerland and its borders as they existed in 1814, we shall find that the results of Napoleonic conquest as well as previously existing territorial alignments had combined to withhold an adequate military frontier from any union which the existing Cantons could reasonably expect to form. Along the northwestern fringes of the country an extensive territory, formerly in the possession of the Prince-Bishop of Basel-Pruntrut and comprising, in the long ranges of the Jura highlands, a series of natural defenses of great strength, had been annexed to France, while along the southeasterly Swiss border the deep valley of the Rhone (Valais) with its lofty Alpine walls had been seized also and placed within French jurisdiction as the Department of Simplon; similarly the geographically detached city of Geneva, an ally of Bern and Freiburg, and so of the Swiss federal system, had been taken over as well as the neighboring province of Savoy, now separated from Sardinian jurisdiction to form a province of Napoleon's Alpine possessions, and divided into the new departments of Léman and Mont Blanc, which roughly corresponded to the former Haute-Savoie and Savoie (Sabaudia).

Thus Switzerland's natural mountain defenses had been practically taken from her. Geneva, too, even if restored by the Allies to its former territorial condition, lay quite apart from actual contact with the true Swiss borders, since the city controlled but a tiny area of land in its immediate vicinity, the balance of the Canton being scattered on either side of the lake and to the south of the city itself in a series of *exclaves*, five in number, with which communication could be had only over French or Savoyard country. Accordingly, while the Committee of the Allies on Swiss affairs at Vienna determined upon the restoration of Savoy to its rightful sovereign, the King of Sardinia, they also admitted the necessity of obtaining from both Sardinia and France such territorial concessions as would convert the practically dismembered Canton of Geneva into a unified territory, and secure also direct communication between Geneva and the rest of Switzerland on the northerly side of the lake by bringing the Genevan frontier up to the borders of Canton Vaud a few miles to the northwest of the

city, from which it was effectually separated by the ancient French district of Gex. Such a scheme, nevertheless, would still leave the eastern and southern borders of Canton Geneva in Sardinian possession, while the Rhone valley, or Canton Valais, would be separated from the southwest extremity of the new proposed Swiss federal system by the Sardinian provinces of Chablais and Faucigny.

These territorial conditions carried with them the menace, too, of economic disaster to Geneva, which largely depended for food supplies on France and Savoy. Thus it was that in a notable interview granted by the Emperor Alexander of Russia to the Genevan envoys De Rochemont and D'Invernois, October 23, 1814, De Rochemont said to the Emperor that without a territorial addition on the west, Geneva must remain at the mercy of France with respect to the obtaining of supplies from the rest of Switzerland as well as from France itself. Remedial territorial concessions, it appeared, had been in fact admitted by all the Powers save France at the first Congress of Paris in May, 1814, but Talleyrand's opposition proved fatal. De Rochemont, indeed, candidly avowed his belief that the Allies should also obtain for Geneva the entire Savoy territory south and east of the city, and comprising the districts of Faucigny and Chablais with part of Genevois, since the magnificent Simplon road as then lately reconstructed and extended by Napoleon afforded an open route from the French frontiers south of Geneva along the southerly side of the lake and over the high Alps of Canton Valais to Italy, thus offering a military highway likely to prove formidable to Swiss interests. A similar though less important yet splendid road ran along the northerly side of the lake from Geneva connecting French territory with northwestern Switzerland, and known as the Route de Versoix, taking its name from the little town of Versoix lying on the lake a short distance above Geneva and notable as having been fixed upon by De Choiseul under the *ancien régime* as a point which might readily be developed in importance and made a successful rival of Geneva, — a plan openly encouraged by Voltaire, whose home at Ferney lay but a few miles away.

While at the First Peace of Paris, as has been stated, Geneva failed to secure the actual cession of any French territory, it did obtain, in Article IV of the identical treaty between Austria and France, signed

on May 30, 1814, the right to use in common with France this Versoix roadway. And a year later at Vienna, in a declaration touching Swiss affairs, signed by the Powers March 20, 1815, Geneva secured (in Article V) an agreement on the part of France to place its customs line on the west of the Versoix highway so that the road itself would now become practically a free means of intercommunication between Geneva and Switzerland. A few days later, on March 29th, the Sardinian envoy, Saint-Marsan, signed a protocol agreeing to the *désenclavement* of some of the separated Genevan districts (*exclaves*) which had been effectually locked up within Savoyard territory; the intervening Savoy country was to be assigned to Geneva, together with a freedom of transit over the Simplon road similar in character to that granted by France over the Route de Versoix. Furthermore the far-outlying Genevan *exclave* of Jussy to the northeast in Haute-Savoie was granted free route-communication with Geneva, as was Peney on the northwest. The final cession of the territory separating Geneva from Jussy was accomplished in Article I of the treaty between Sardinia and Switzerland, signed at Turin, March 16, 1816, and which, taken together with the *procès-verbal de limites* executed on June 15th following, carefully marks out the new Swiss-Savoyard boundaries.

The free right of passage on both the northerly and southerly sides of the lake, together with the neutralization of those portions of Savoy which adjoin Geneva on the south and east, appeared to be all that could be reasonably hoped for from the Congress of Vienna, whose slowly-moving proceedings are accurately reflected in the but recently published journal of Jean-Gabriel Eynard, who accompanied his uncle, De Rochement, as private secretary and whose picture of Swiss efforts at the Congress is the best that we have. Eynard, who was at this time in his thirty-ninth year and who lived until 1863, was one of Geneva's foremost citizens. His memory is preserved in the fine building known as l'Athénée near the Botanic Gardens.

The event, however, proved more favorable to Geneva and Switzerland, for not only was a free right of passage ultimately secured along the Versoix and Simplon highways, but at the Second Congress of Paris, November 20, 1815, when Victor Emmanuel recovered the balance of his ancestral territory, France was further compelled to

yield to Switzerland for the benefit of Geneva that portion of the Pays de Gex lying east of the little river Versoix and along the lake borders, thus giving Geneva territorial communication with the Confederation. At the same time France agreed to place its customs frontier west of the Jura mountains, practically extending Swiss jurisdiction, so far as customs might be concerned, over the whole district of Gex.

In this manner, then, there arose the first of the so-called Genevan free zones, the zone of Gex. The second or Savoyard tariff-free zone surrounding Geneva on the south and east was formed by the Treaty of Turin, March 16, 1816, and widely extended by imperial French decree in 1860 after the territories of Savoy had come into possession of the French Crown as compensation for the aid extended by Napoleon III to Sardinia in the war with Austria in 1859. The diplomatic development of the zones can be most clearly appreciated in the actual documents creating them; these are the following:

30 mai 1814. — Autriche et France. — Traité de Paix, Signé à Paris

Art. IV. — Pour assurer les communications de la ville de Genève avec d'autres parties du territoire de la Suisse situées sur le lac, la France consent à ce que l'usage de la route par Versoy soit commun aux deux pays. Les Gouvernements respectifs s'entendront à l'amiable sur les moyens de prévenir la contrebande, et de régler le cours des postes et l'entretien de la route.

These provisions of the First Peace of Paris were incorporated in a declaration prepared by the Swiss Committee at Vienna:

Déclaration des Puissances sur les Affaires de la Confédération Suisse, Signée à Vienne, 20 mars 1815

(Annexe no. 11 de l'Acte final du Congrès de Vienne du 9 juin 1815)

Art. V. — Pour assurer les communications commerciales et militaires de Genève avec le Canton de Vaud et le reste de la Suisse, et pour compléter à cet égard l'article IV du Traité de Paris, S. M. Très-Chrétienne consent à faire placer la ligne de douane de manière à ce que la route, qui conduit de Genève par Versoy en Suisse, soit en tout temps libre, et que ni les postes, ni les voyageurs, ni les transports de marchandises n'y soient inquiétés par aucune visite de douanes, ni soumis à aucun droit.

Il est également entendu que le passage des troupes Suisses ne pourra y être aucunement entravé.

Dans les règlements additionnels à faire à ce sujet, on assurera de la manière la plus avantageuse aux Genevois l'exécution des traités

relatifs à leurs libres communications entre la ville de Genève et le mandement de Peney, S. M. Très-Chrétienne consent en outre à ce que la gendarmerie et les milices du Canton de Genève passent par la grande route du Meyrin dudit mandement à la ville de Genève, et réciproquement, après en avoir prévenu le poste militaire de la gendarmerie Française le plus voisin.

Les Puissances intervenantes interposeront de plus leurs bons offices pour faire obtenir à la ville de Genève un arrondissement convenable du côté de la Savoie.

A few days later, in the Sardinian protocol of March 29th, the Crown agreed to these proposed territorial concessions, reserving, however, ownership of the Simplon highway, although yielding a right of passage which has beyond reasonable doubt continued to exist as an international servitude in favor of Geneva to the present time.

Art. I. — S. M. le Roi de Sardaigne met à la disposition des Hautes Puissances Alliées la partie de la Savoie qui se trouve entre la rivière d'Arve, le Rhône, les limites de la partie de la Savoie occupée par la France, et la montagne de Salève jusqu'à Veiry inclusivement; plus celle qui se trouve compris entre la grande route du Simplon, le lac de Genève et le territoire actuel du Canton de Genève, depuis Vézenas, jusqu'à point où la rivière d'Hermance traverse la susdite route, et de là, continuant le cours de cette rivière, jusqu'à son embouchure dans le lac de Genève, au levant du village d'Hermance (la totalité de la route du Simplon continuant à être possédée par S. M. le Roi de Sardaigne), pour que ces pays soient réunis au Canton de Genève, sauf à déterminer plus précisément la limite par des Commissaires respectifs, surtout pour ce qui concerne la délimitation en dessus de Veiry, et sur la montagne de Salève. Dans tous les lieux et territoires compris dans cette démarcation, S. M. renonce, pour Elle et ses successeurs à perpétuité, à tous droits de souveraineté et autres qui peuvent lui appartenir, sans exceptions ni réserves.

Art. II. — S. M. accorde la communication entre le Canton de Genève et le Valais, par la route dite du Simplon, de la même manière que la France l'a accordée entre Genève et le pays de Vaud, par la route qui passe par Versoy. S. M. accorde de même, en tout temps, une communication libre pour les milices Genevoises, entre le territoire de Genève et le mandement de Jussy, et les facilités qui pourraient être nécessaires à l'occasion pour revenir par le lac à la susdite route du Simplon.

At the Second Peace of Paris, however, terms more liberal to Geneva were agreed upon and an actual grant of the French territory lying

between Cantons Geneva and Vaud was provided, together with cessions of Sardinian territory lying between the Genevan *exclaves* and also the promise of a Sardinian tariff-free zone. These provisions were incorporated in a preliminary protocol and afterwards made part of the identical treaties known collectively as the Second Peace:

Extrait du Protocole des Plénipotentiaires de Grande-Bretagne, de Prusse et de Russie, en date du 3 novembre 1815

Versoir, avec la partie du pays de Gex, qui sera cédée par la France, sera réuni à la Suisse pour faire partie du Canton de Genève. La commune de Saint-Julien, de la partie française de la Savoie, sera également réunie au Canton de Genève.

.

Pour faire participer S. M. le Roi de Sardaigne dans une juste proportion aux avantages qui résultent des arrangements présents avec la France, il est convenu que la partie de la Savoie qui était restée à la France en vertu du traité de Paris du 30 mai 1814 sera réunie aux États de Sa Majesté, à l'exception de la commune de Saint-Julien qui sera remise au Canton de Genève.

Les Cabinets de Cours réunies emploieront leurs bons offices pour disposer S. M. Sarde à céder au Canton de Genève les communes de Chesne, Thonex et quelques autres nécessaires pour désenclaver le territoire suisse de Jussy, contre la rétrocession de la part du Canton de Genève, du territoire situé entre la route d'Évian et le lac, qui avait été cédé par S. M. Sarde dans l'acte du 29 mars, 1815.

Le Gouvernement Français ayant consenti à reculer ses lignes de douane des frontières de la Suisse du côté du Jura, les Cabinets des Cours réunies emploieront leurs bons offices pour engager S. M. Sarde à les faire reculer également du côté de la Savoie, au moins au delà d'une lieue de la frontière suisse et au dehors des Voirons, de Salève et des Monts de Sion et de Vuache.

The clause in the foregoing protocol touching the cession of part of the district of Gex reappears slightly changed in the identical treaty of November 20th and now provides expressly for retirement of the French customs line to the west of the Jura mountains, thus making all of Gex a tariff-free zone:

Pour établir une communication directe entre le Canton de Genève et la Suisse, la partie du pays de Gex, bornée à l'est par le lac Léman, au midi par le territoire du Canton de Genève, au nord par celui du Canton de Vaud, à l'ouest par le cours de la Versoir et par une ligne

qui renferme les communes de Collex-Bossy et Meyrin en laissant la commune de Ferney à la France sera cédée à la Confédération Helvétique, pour être réunie au Canton de Genève. La ligne des douanes françaises sera placée à l'ouest du Jura, de manière que tout le pays de Gex se trouve hors de cette ligne.

It was not, however, until the Turin Treaty of March 16th in the following year that the remaining Genevan *exclave* of Jussy in Upper Savoy was territorially united with Geneva by cession of the intervening country; it was also in this treaty that De Rochemont finally obtained the actual concession of a Savoyard tariff-free zone destined to be equally advantageous to Sardinia and Geneva. Article 3 of the treaty indicates the territorial extent of the zone which is to be free from collection of customs duties touching which the treaty provides that:

Aucun service ne pourra être fait ni sur le lac, ni dans la zone, qui sépare du territoire de Genève la ligne ci-dessus indiquée: il sera néanmoins loisible, en tout temps, aux autorités administratives de S. M. de prendre les mesures qu'elles jugeront convenables contre les dépôts et le stationnement des marchandises dans ladite zone, afin d'empêcher toute contrebande qui pourrait en résulter. Le Gouvernement de Genève de son côté, voulant seconder les vues de S. M. à cet égard, prendra les précautions nécessaires pour que la contrebande ne puisse être favorisée par les habitants du Canton.

Art. IV. — La sortie de toutes les denrées du Duché de Savoie, destinées à la consommation de la ville de Genève et du Canton, sera libre en tout temps, et ne pourra être assujettie à aucun droit; sauf les mesures générales d'administration, par lesquelles S. M. jugerait à propos, en cas de disette, d'en défendre l'exportation de ses États de Savoie et de Piémont.

Savoy having come into French possession by the treaty of March 24, 1860, the Imperial Government announced that it would, in conformity with a plebiscite, proceed to establish a tariff-free zone in northern Savoy upon the plan already existent in the district of Gex. This was done, the zone area being thus greatly widened, and the practice of commercial reciprocity between Switzerland and France, long previously recognized as to Savoy and expressly consecrated in the Treaty of St. Julien, July 16, 1603, and in that of Turin, June 3, 1754, became a part of the established order along the extensive fron-

tier lines from which customs services had been withdrawn to the distant political frontiers, where the main chain of the high Alps looks down upon the valley of the Rhone and the plain of the Po.

The tradition and practice of reciprocity in the district of Gex stretched back over some two centuries, as in the case of Savoy. Its character is admirably indicated in an edict of the French Crown bearing date December 22, 1775, and whose clarity of expression would lose much in an English translation:

Louis, par la Grâce de Dieu, roi de France et de Navarre, à tous ceux qui ces présentes lettres verront, salut :

Nous nous sommes faits rendre compte des représentations, faites en différents temps, au feu roi, notre très honoré seigneur et aïeul et à nous-même, depuis notre avènement au trône, par les gens des trois états de notre pays de Gex, portant que la perception des droits d'entrée et de sortie, qui ont lieu dans les provinces, sujettes aux droits de nos cinq grosses fermes, ainsi que la régie et la vente exclusive du sel et du tabac, devenaient de jour en jour plus difficiles dans ce pays, par sa position qui se trouve enclavée entre les terres de Genève, de la Suisse et de la Savoie, et séparée des autres provinces de notre Royaume par le Mont Jura; que ces droits, d'ailleurs, ne pouvaient qu'être fort onéreux aux habitants de notre dit pays de Gex, en les privant des avantages, que devait naturellement leur procurer cette situation. Nous avons cru qu'il était digne de notre bonté, de venir à leur secours, par la suppression tant des droits de traite, qui sont établis sur les marchandises, qui entrent dans le dit pays ou qui en sortent pour passer à l'étranger, que du privilège de la vente à notre profit du sel et du tabac, à la charge néanmoins de l'indemnité, qui nous sera due ou à l'adjudicataire de nos fermes pour raison de ces suppressions, ainsi que de la manière, qu'elle sera par nous ordonnée, conformément au désir que nous en ont temoigné les gens des trois États de notre pays de Gex. A ces causes et autres à ce nous mouvant, de l'avis de notre Conseil et de notre certaine science, pleine puissance et autorité Royale, nous avons dit, déclaré et ordonné par ces présentes, signées de notre main, disons, déclarons et ordonnons, voulons et nous plaît ce qui suit:

Article premier. — Voulons qu'à l'avenir et à commencer du premier janvier prochain, notre dit pays de Gex soit réputé, comme nous le réputons par ces présentes "pays étranger," quant aux droits de nos fermes générales et comme tel exempt des droits d'entrée et de sortie, établis par l'édit du mois de septembre 1664 et le tarif du 18 du dit mois y annexé, sur les marchandises et denrées, que les habitants de ce pays emportent à l'étranger, et sur celles, qu'ils entreront directement et sans emprunter le passage des provinces des cinq grosses fermes; en conséquence, nous ordonnons que tous les bureaux des traites et autres,

établis tant sur les frontières dudit pays de Gex, limitrophes aux terres de Genève, de la Suisse et de la Savoie, que dans l'intérieur dudit pays, seront et demeureront supprimés à partir dudit jour 1er janvier prochain.

We come, finally, to the extension of Swiss *neutrality* beyond the original borders of the country. This was accomplished, in the first place, through annexation of the wide-lying possessions of the Prince-Bishop of Basel-Pruntrut. The episcopal territory was wholly distinct from the Swiss *Canton* Basel, whose capital had been a free city of the Empire and served during a long period as the residence of the Bishop, although this residence had been removed to Pruntrut (Porrentruy) at the Protestant Reformation. The Bishop's own territories consisted of two portions in a political sense, the one lying along the frontier of Canton Basel, being an ally (*zugewandter Ort*) of the Confederation, and the remaining portion of the Bishopric being included in the old imperial circle of the upper Rhine. In 1793 the entire territory was annexed to France, and in 1803 a tiny portion lying north of Basel city and on the right bank of the Rhine was handed over to the Grand Duchy of Baden to which it belongs today. In assigning the rest of the Bishopric to Switzerland at Vienna, the Congress incorporated the larger part of it with Canton Bern, a small portion being given to Neuchâtel and another fragment to Canton Basel. These various steps were aimed at the military strengthening of Switzerland's westerly and northwesterly frontiers; on the south and east of the Confederation a similar object was sought to be attained, though in the first instance at the express request of Sardinia, through the extension of Swiss neutralization over upper Savoy, which had long been in a more or less defenseless condition through the removal of the royal capital from Chambéry to Turin on the south side of the Alps. Accordingly, when the Powers, on March 20, 1815, had agreed to the recognition and guarantee of Swiss permanent neutrality within that country's new frontiers, the Sardinian envoy, De Saint-Marsan, obtained the assent of the Powers to a memorial, formally approved by the Swiss Diet, August 12, 1815, agreeing to extend the theretofore recognized permanent neutrality to the more northerly portion of upper Savoy; while at the Second Congress of Paris the Powers, when providing for the demolition of the fortifications of Hüningen just north of Basel

city, added a clause to the identical treaty of November 20, 1815, in which the Swiss-Savoyard neutrality was further expanded to comprise southerly upper Savoy, that is to say, the three ancient districts of Chablais, Faucigny, and Genevois, now the *arrondissements* of Thonon, Bonneville, and St.-Julien, all became clothed with the neutral quality, thus interposing a neutral zone between Switzerland and any neighbor on the south and east of Geneva and the lake. The precaution had been taken in the memorial of March 29, 1815, to stipulate that whenever states adjoining the Swiss borders should find themselves in a condition of imminent or open hostility, any Sardinian troops then in these neutralized districts should be allowed to retire along the Simplon road to Italy through Canton Valais, nor should any armed troops of any Power be allowed to occupy or traverse the neutral territory without Swiss permission. The Swiss Government, then, and no other may rightfully garrison this Savoy country in time of warfare. Switzerland's military frontier on the Savoy side is thus practically extended by treaty and international guarantee to the line of the high Alps.

Switzerland, then, along the borders of Canton Geneva and the easterly line of the lake finds itself encircled by foreign territory whose customs frontiers have been removed to an extent sufficient to allow international reciprocity with an extensive stretch of country. The portion of this country comprised in the district of Gex on the north of the lake, while tariff-free, is not neutralized, but the tariff-free zones of the Savoyard country, together with the still wider area to the south of the tariff-free zones, are included in the shelter of Swiss neutralization. It should be added that precise details touching the practical maintenance and execution of the reciprocity thus divided are regulated by a treaty made with France in 1881 and by a federal ordinance of the Swiss Government passed in 1908, to which is attached an official map indicating the tariff-free zones.

We should note, also, that the question has long been mooted as to the true character, in the light of international law, of the responsibility undertaken by the Allies at Vienna and at the Second Peace of Paris with respect to a protecting rôle touching the Swiss commonwealth which they undoubtedly assumed on both occasions and which

at the Second Peace of Paris, as has been already indicated, was given definite form in the celebrated declaration signed by Austria, France, Great Britain, Portugal, Prussia, and Russia. Eminent authorities have sharply differed touching the existence of an actual *guarantee* of Swiss and Savoyard neutrality, since the declaration undertakes to *recognize* Swiss perpetual neutrality, but *guarantees* the integrity and the inviolability only of its territory. There would appear, nevertheless, to be no doubt whatever as to the intention of the Powers at the Vienna Congress: it is expressly stated in the declaration of March 20, 1815, that an Act shall be drawn up recognizing and guaranteeing on the part of all the Powers Swiss perpetual neutrality; in the Sardinian memorial of March 26th Saint-Marsan asks for an extension of Swiss neutrality over Savoy as *guaranteed* by the Powers; in Article 92 of the Vienna Final Act this stipulation of the memorial takes shape in a clause stating that certain portions of upper Savoy shall be comprised within Swiss neutrality as recognized and guaranteed by the Powers; the protocol of November 3, 1815, declares also, when widening the sphere of Swiss neutrality in Savoy, that such widening shall extend the neutrality in the same manner as provided by Article 92 of the Vienna Final Act; and this provision was ratified by the Sardinian Government in its *acte de remise* of December 15, 1815; while in Article VII of the Sardinian treaty of March 16, 1816, which recapitulated the various provisions touching the extension of Swiss neutrality over Savoy, the terms "recognize" and "guarantee" are carefully quoted from the Second Peace of Paris in explanation of Savoy's claim to neutralization.

There would appear, indeed, no doubt that it was an express guarantee which was both contemplated and actually declared at Vienna. This was required by the circumstances amid which the various transactions above enumerated were brought to a successful diplomatic conclusion.

Whether, in fact, we regard Swiss neutrality as a measure in its origin adopted as a refuge from the perils of attack from surrounding and powerful neighbors, or as a policy in part urged upon the country from without in order to secure to possible belligerents the advantages of what might be termed a safety-zone, all will admit that it has con-

sistently served to develop a conception of devotion to country and also to expand civil freedom at home unstained by ambition of conquest abroad. Handed down, as it has been, through the centuries and protected in a later time by such safeguards as solemnly executed treaties and the principles of international law may throw about it, Swiss permanent neutrality may well be looked upon as a by no means insignificant element in the structure of modern world-civilization, while its preservation is essential as a bright example to the progress and perpetuation of that civilization itself.

There remains for consideration the maintenance by Switzerland of its neutrality during the European war, together with, in conclusion, the general aspects of permanent neutrality as attempted to be developed or preserved elsewhere.

GORDON E. SHERMAN.